

DAULT & ASSOCIATES, PLLC  
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**IN THE UNITED STATES BANKRUPTCY COURT  
FOR THE DISTRICT OF ARIZONA**

## **MOTION TO REINSTATE CASE**

COMES NOW Debtors in this matter by and through counsel, Brian C. Dault, and hereby motion this Honorable Court to issue an order reinstating the Debtor's case so that they may properly file the Declaration of Electronic Filing.

Debtors provided all information well before the notice of missing documents and intended that such Declaration of Electronic Filing be filed with the Court. Because of oversight and excusable neglect on the part of Debtor's counsel and circumstances beyond Debtor's control, the Declaration of Electronic Filing did not get filed and a dismissal was issued without discharge. Debtors took all appropriate action in this matter and should not be held accountable for their counsel's oversight. Debtors hereby respectfully request this court to grant this motion to reinstate the case so the Declaration of Electronic Filing can be properly filed and a discharge considered.

WHEREFORE, the debtors pray that the court issue an order:

- a. Reinstating their case; and
- b. Granting the debtors such other and further relief as the Court may deem just and equitable under the circumstances.

**DATED** this 21<sup>st</sup> day of October 2010.

Respectfully Submitted,

/s/ Brian C. Dault  
Brian C. Dault #27021

ORIGINAL filed electronically and COPIES of the foregoing mailed this 21<sup>st</sup> day of October, 2010 to the following:

**Jeff M. Goodyear &  
Molly Dee Holland**  
10929 E. SUNFLOWER COURT  
FLORENCE, AZ 85232

**U.S. TRUSTEE**  
OFFICE OF THE U.S. TRUSTEE  
230 NORTH FIRST AVENUE  
SUITE 204  
PHOENIX, AZ 85003

**STANLEY KARTCHNER**  
7090 N. ORACLE ROAD, #178-204  
TUCSON, AZ 85704

**CERTIFICATE OF SERVICE**

I, Brian C. Dault, hereby certify that copies of this notice, and copies of the attached motion and proposed order were provided via electronic filing or U.S. First Class Mail postage prepaid on this the 21st day of October 2010, to all interested parties as set forth below.

**Jeff M. Goodyear &  
Molly Dee Holland**  
10929 E. SUNFLOWER COURT  
FLORENCE, AZ 85232

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TUCSON, AZ 85704

/s/ Brian C. Dault  
Brian C. Dault

Attachments:  
Proposed Order

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The above captioned Debtors, having filed a motion to reinstate his case;

IT IS HEREBY ORDERED that:

1. This case be reinstated.

Dated: This \_\_\_\_ day of \_\_\_\_\_, 2010.

## Honorable Eileen W. Hollowell